IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Crl.MC.No. 1176 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.1909/2007 Dated 29/03/2007

.....

(CRIME NO. 40/2007 OF CHADAYAMANGALAM POLICE STATION)

.....

PETITIONER/ACCUSED IN CRIME No. 40/2007:

GANESHANA NAMBOODIRI, AGED 34 YEARS,
S/o. EASWARAN NAMBOODIRI, RESIDING AT
VADAKKEMARANGATTILLATH, KUTTANPEROOR MURI
MANNAR VILLAGE.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT/COMPLAINANT IN CRIME No. 40/2007:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.1176 of 2007

Dated this the 12th day of April 2007

O R D E R

The petitioner was granted bail in a crime registered interalia under Section 420 I.P.C by the learned Magistrate on condition that he appears before the investigating officer on all Sundays for a period of one month. He was enlarged on bail on 04/04/2007. He has already appeared before the investigating officer on 08/04/2007, it is submitted. He has to appear before the investigating officer on three more occasions. He has come to this court to get the said condition imposed by the learned Magistrate deleted.

2. What is the reason? The short submission is that the petitioner was assaulted by an influential person on the side of the complainant when he appeared before the investigating officer on 08/04/2007. This remains an empty assertion with nothing tangible to support the same. Admittedly, no crime has been registered in support of such an incident. I am not at all persuaded in the facts and circumstances of this case to agree

that the condition deserves to be modified now. The condition has to remain in force only for a total period of one month and in these circumstances, I am satisfied that this petition only deserves to be dismissed.

3. In the result, this Criminal Miscellaneous Case is dismissed. Needless to say the petitioner can approach the police if there be any acts of threat or intimidation against him.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF APRIL 2007